

# **EXHIBIT 1**

**Plaintiffs' More Definite Statement as to Defendant  
Muhammed Galeb Kalaje Zouaydi**

1. Plaintiffs hereby incorporate all allegations and counts contained in the Third Amended Complaint in Burnett, et al. v. Al Baraka Investment and Development Corp., et al., 03 MD 1570 (RCC), 03 CV 5738 & 03 CV 9849; World Trade Center Properties LLC, et al. v. Al Baraka Investment and Development Corp., et al., 03 MD 1570 (RCC); 04 CV 7280 (RCC); and Euro Brokers, Inc., et al. v. Al Baraka Investment and Development Corp., et al., 03 MD 1570 (RCC); 04 CV 7279 (RCC), including all of the allegations and claims contained therein.

2. Muhammed Galeb Kalaje Zouaydi ("Zouaydi"), a/k/a Muhammad Ghalim Kalaji, a/k/a Abu Talha, a/k/a Abu Musab, was born in Syria on January 3, 1961. Zouaydi is the brother-in-law of Mohamed Bahaiah, a/k/a Abu Khaled, messenger and courier for al Qaeda in Europe.

3. Zouaydi graduated with a degree in mechanical engineering from Aleppo University in 1978. Since becoming a Spanish citizen in 1984, Zouaydi has primarily lived in Spain and Saudi Arabia. According to the affidavit of a prisoner under Spanish custody, Zouaydi traveled between Saudi Arabia and Spain more than fifty times between 1992 and 1997 to transport laundered funds.

4. Zouaydi formed the company Mushayt for Trading Establishment ("Mushayt") in 1985 in Jeddah, Saudi Arabia. A household gifts company, Zouaydi owned Mushayt through at least 1998. Several members of the Muslim Brotherhood, including General Manager Walid Al Zaim, managed Mushayt during Zouaydi's tenure and continue to exercise control over the company.

5. In or about 1996, Zouaydi met Spanish al Qaeda operatives and co-Defendants

Bassam Dalati Satut, Imad Eddin Barakat Yarkas a/k/a Abu Dahdah and Ghasoub El Abrash Ghalyoun a/k/a Abu Musab in Spain and Saudi Arabia. He also met co-Defendant Mamoun Darkazanli a/k/a Abu Ilias in Saudi Arabia. Zouaydi attended meetings and had contacts with representatives of extremist organizations linked to Osama bin Laden, including those in the Philippines.

6. In December 1998, Zouaydi settled in Spain and created a string of businesses with Satut including Proyectos Y Promociones ISO, S.L., Proyectos Edispan and Proyectos Y Promociones Paradais, S.L. He also co-founded Proyectos Y Construcciones Tetuan Pricote, S.A. with Ghasoub El Abrash Ghalyoun, an al Qaeda financier who made a surveillance video of the Twin Towers for Bin Laden in 1997.

7. Satut belongs to the Spanish al Qaeda cell headed by Yarkas. He is also manager of co-Defendant Cobis, a company located in Madrid. Cobis materially supported, aided and abetted al Qaeda operations and propaganda.

8. Spanish authorities arrested Zouaydi in Madrid, Spain, in November 2001 for his role in financing al Qaeda cells in Europe.

9. Based only on notes and registers recovered in raids by Spanish authorities, Zouyadi was the source of approximately 111,424,796 pesetas (USD \$774,000)<sup>1</sup> in questionable charitable transactions between 1996 and 2001. Zouyadi's monthly income at the time was 500,000 pesetas (USD \$3,475). Nevertheless, Zouaydi somehow managed to donate 1,850 percent of his annual income to charity. Spanish authorities estimate the total amount of laundered funds to be several times greater than 111 million pesetas.

10. Zouaydi used Mushayt as a front for wire transfers from abroad. Construction

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<sup>1</sup> In light of currency fluctuations, a conversion formula representing the average daily cash exchange rate between 1996 and 2001 (1 peseta = .00695 USD) has been applied.

and real estate firms owned by Zouaydi issued fake contracts to cover these funds. According to a 2003 indictment filed in Spain's High Court, Yarkas informed Zouaydi in 2000 of a building materials supplier willing to sell bogus invoices for "all the kinds of stuff we work with: paint, flooring, wood." The deal fell through only after Zouaydi felt the supplier demanded too much money. Once transferred, Spanish authorities believe the laundered funds left the country in suitcases or by other undetectable means.

11. Zouaydi was a close associate of Imad Eddin Barakat Yarkas, the leader of al Qaeda's Spanish cell. The two maintained regular phone contact and were photographed together on several occasions. Zouaydi's records indicate that he gave 8,245,000 pesetas (USD \$57,300) to Yarkas between 1996 and 2001. Notations following these entries state that the funds were for "donations for the poor and immigrants," yet Yarkas has never been affiliated with any charitable organization. Yarkas was not even employed at the time but received enough income from various sources to frequently travel outside of Spain.

12. A month before the September 11 attacks, Yarkas telephoned an individual called "Shakur" who Spanish authorities later identified as Farid Hilali. In a coded reference to the attacks, Hilali refers to the "the field of aviation" and "slitting the throat of the bird." Yarkas also had contacts with mujahideen training camps in Bosnia funded by co-Defendant Benevolence International Foundation. Spain's High Court sentenced Yarkas to 27 years in prison on September 26, 2005, on charges of conspiracy to commit terrorist murder.

13. Zouaydi also provided material support to a close associate of Yarkas in Yemen. Shortly after his arrival from Spain, Nabil Nanakli Kosaibati a/k/a Abu Saleh, a Spanish citizen of Syrian origin, began receiving a monthly salary from Zouaydi's trading company. Yemeni authorities arrested Kosaibati in August 1997 and sentenced him to death for plotting an attack

against the vice prime minister.

14. Kosaibati received a total of Euro 15,686 (USD \$16,600)<sup>2</sup> – a considerable sum given the exchange rate – from Zouaydi prior to his arrest and maintained personal contact by fax and phone with his Saudi benefactor. Zouaydi also attempted to intervene on Kosaibati's behalf after learning of his sentence. In conversations with Yarkas, Zouaydi indicated the need to discuss Kosaibati's case with Saudi human rights organizations.

15. Spanish police recovered a handwritten letter from al Qaeda courier Mohamed Bahaiah to Zouadyi requesting the latter to send money to Kosaibati. Bahaiah provided Kosaibati's bank account information and the bank's telephone numbers. Police also discovered records documenting money transfers from Zouadyi to Bahaiah.

16. A business card of Zouaydi's found during a search of Proyectos Y Promociones ISO features a handwritten agenda of contacts on the back. After the notation "To Call," the contacts include the aliases Abu Zeinab (Nabil Sayadi) and Abo Lias (Mamoun Darkazanli). Telephone records obtained by Spanish authorities show that Zouaydi placed consecutive phone calls to both men on April 25, 2001.

17. A former Bosnian mujahideen fighter, Nabil Sayadi established Foundation Secours Mondial ("FSM"), the Belgian branch of co-Defendant and Specially Designated Global Terrorist ("SDGT") entity Global Relief Foundation ("GRF"). The U.S. Treasury Department froze GRF's assets on December 14, 2001, based on evidence that the organization maintained links to al Qaeda. Sayadi had significant contacts in the mid 1990s with Wadih El Hage, Bin Laden's personal secretary convicted in the 1998 embassy bombings trial.

18. A letter from Sayadi to Zouaydi dated October 29, 1998, discusses GRF's humanitarian assistance activities. Beyond the procurement of jerseys and blankets, the letter

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<sup>2</sup> Spanish authorities compiled the aforementioned figure (Euro 15,686) at a time when 1 Euro = 1.06 USD.

cryptically references “4 or more tons of other things, from other people, and that he will send them by sea in a container.”

19. Spanish investigators also recovered a UPS envelope containing receipts of wire transfers to Sayadi sent between 1996 and 1999. Accounting ledgers record several funds transfers to “NABIL,” or Sayadi, during the same time period.

20. These documents contradict statements made by Zouaydi shortly after his arrest on November 14, 2001. Zouaydi claimed that his charitable contributions amounted to 200,000 pesetas (USD \$1,390) “for the Palestinian cause” and that he only knew Yarkas through occasional contacts. Zouaydi also stated that he had traveled to Saudi Arabia and Dubai for commercial purposes and Belgium and Turkey for tourism since relocating to Spain in 1998. Spanish authorities believe Zouaydi undertook all of this travel to deliver funding to various al Qaeda entities. Zouaydi also admitted knowing Mustafa Set Marian Nasser, director of one of Bin Laden’s training camps in Afghanistan.

21. The US Treasury Department specifically mentions GRF’s links to Zouaydi as a reason for the organization’s designation as a SDGT under Executive Order 13224 on October 18, 2002.

22. Zouaydi sent 2,844,350 pesetas (USD \$19,800) to co-Defendant Mamoun Darkaznali and Abdul Fattah Zammar, key figures in the Hamburg al Qaeda cell that produced co-Defendant Ramzi Binalshibh and 9/11 hijackers Mohammad Atta, Zaid Jarrah and Marwan al-Shehhi. Spanish surveillance observed meetings between Darkaznali and Zouaydi, Yarkas and others in Madrid on January 19, 2000.

23. Zouyadi also transferred a total of 33,758,416 pesetas (USD \$234,600) to Syria, Turkey, Saudi Arabia and Afghanistan with headings of “Islamic Donations.”

24. Zouaydi recorded contributions of 6,535,000 pesetas (USD \$45,400) under the heading WAQF (charity) in his ledgers. Two days after receiving one of Zouaydi's WAQF allocations, Yusuf Galan left Spain for Indonesia, where he was photographed training at an al Qaeda camp. Yarkas had recruited Galan for the trip.

25. Between 1996 and 2001, Zouaydi wired USD \$100,000 to an al Qaeda operative in Denmark named Abu Khalet. Khalet has produced fake passports for Iraqi al-Qaeda leader Abu Musab al-Zarqawi and others close to him.